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 FED. I.D. NO. 99-0175383

April 2, 2007

**VIA HAND DELIVERY**

The Honorable Susan Oki Mollway  
 Judge, United States Courthouse  
 Prince Kuhio Federal Building  
 300 Ala Moana Boulevard  
 Honolulu, Hawaii 96850

Re: Hawaii Children's Blood and Cancer Group v. Hawaii Pacific Health, et al., Civil No. CV03-00708 SOM/LEK

Dear Judge Mollway:

We have received your Order reopening the case and I am happy to transmit this letter to you outlining the status of the related state court case, as you have requested.

The state court case, Woodruff, et. al., v. Hawai'i Pacific Health, et al., Civil No. 02-1-0090-01, First Circuit Court (BIA); remains scheduled for trial commencing October 1, 2007. Judge Ayabe has told us that we are the number one case scheduled for trial and if the lawsuit is not resolved before then, trial will commence as scheduled.

Co-defendants in the lawsuit, Dennis M. Warren, Esq., and Deloitte & Touche, filed Motions for Summary Judgment which have been granted in part. We are awaiting Judge Ayabe's ruling with respect to one remaining issue which was put before him by Deloitte & Touche upon which he has not yet ruled. I attach to this letter Orders which have been entered with regard to Judge Ayabe's rulings on motions for summary judgment.

In essence, Dennis M. Warren, Esq., has no claims remaining against him. The defamation claims and wrongful termination claims asserted against Deloitte & Touche no longer remain in the case. A ruling on Deloitte & Touche's motion with respect to the applicability of Medicare Part B and Medicaid has not yet been ruled upon.

Following Judge Ayabe's rulings via a minute order, plaintiffs' counsel filed premature Motions to Certify Judge Ayabe's rulings, as expressed in his Minute Order, as final Orders with respect to those issues and requested an Interlocutory Appeal.

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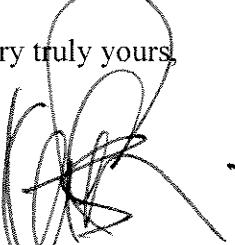
As those Motions were based upon non-filed Orders, plaintiffs' counsel withdrew their Motions immediately before argument thereupon in Judge Ayabe's courtroom.

Plaintiffs' counsel re-filed said Motions following the entry of the Orders and, after briefing and argument, Judge Ayabe denied those Motions. A copy of the Orders denying these Motions is attached as well.

We have not yet filed a Motion for Summary Judgment on the same bases as our co-defendants or on the remaining theories against my clients, who are Hawai'i Pacific Health, Kapi'olani Medical Specialists, Kapi'olani Medical Center For Women and Children, Roger Drue, Frances A. Hallonquist, Neal Winn, M.D., and Sherrel Hammar, M.D. Our rationale for not doing so is to await the conclusion of the depositions of expert witnesses and to then file one Motion for Summary Judgment on all claims asserted against our clients.

As you can see, significant progress is being made in the state court case to narrow the issues as we approach our October trial date. We look forward to filing our Motion for Summary Judgment shortly so that we can attempt to narrow the issues even further. It may be well for the counsel for the parties in this lawsuit to advise you further after Judge Ayabe rules on my clients' Motion for Summary Judgment.

I hope this letter is responsive to your Order. I look forward to working with you and my colleagues toward the ultimate resolution of this lawsuit.

Very truly yours,  
  
Kenneth S. Robbins

KSR/07-0084  
Enclosures

cc w/o encls.:

Arleen D. Jouxson-Meyers, M.D., M.P.H., Esq.  
Rafael G. del Castillo, Esq.